

SENATE BILL 808

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E4

2001 Regular Session
11r2829
CF 11r2078

By: **Senator McFadden**

Introduced and read first time: February 14, 2001

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Advisory Council on Offender Employment Coordination**

3 FOR the purpose of establishing an Advisory Council on Offender Employment
4 Coordination in the Department of Public Safety and Correctional Services;
5 providing for the membership, chairman, staff, and executive director of the
6 Council; requiring the Council to gather information, solicit ideas, and advise
7 and provide guidance to the executive director on certain matters; requiring that
8 certain governmental personnel shall cooperate with the Council with regard to
9 reasonable requests for information from the Council; requiring certain reports;
10 defining certain terms; providing for the termination of this Act; and generally
11 relating to the Advisory Council on Offender Employment Coordination.

12 BY adding to

13 Article - Correctional Services
14 Section 2-301 through 2-308, inclusive, to be under the new subtitle "Subtitle 3.
15 Advisory Council on Offender Employment Coordination"
16 Annotated Code of Maryland
17 (1999 Volume and 2000 Supplement)

18 **Preamble**

19 WHEREAS, Maryland has experienced both an increased demand for a trained
20 and skilled labor force and an increased offender population seeking employment
21 opportunities; and

22 WHEREAS, Pilot projects in other states and cities have led to the creation of
23 successful public-private partnerships that are focused on employment as a tool for
24 long term change in offender behavior; and

25 WHEREAS, Recidivism is dramatically decreased through the use of well
26 designed employment initiatives that include job preparation and skills development
27 components along with placement and retention efforts; and

28 WHEREAS, There is a need to establish employment related efforts that span
29 the correctional system, from prison to community; and

1 WHEREAS, Employment reduces criminal behavior of offenders and therefore
2 plays a significant role in crime control efforts and in improving the quality of life of
3 all citizens and in all communities; now, therefore,

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article - Correctional Services**

7 SUBTITLE 3. ADVISORY COUNCIL ON OFFENDER EMPLOYMENT COORDINATION.

8 2-301.

9 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
10 INDICATED.

11 (B) "COUNCIL" MEANS THE ADVISORY COUNCIL ON OFFENDER EMPLOYMENT
12 COORDINATION.

13 (C) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
14 ADVISORY COUNCIL ON OFFENDER EMPLOYMENT COORDINATION.

15 (D) (1) "GOVERNMENTAL UNIT" MEANS A PERMANENT INSTRUMENTALITY
16 IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF STATE GOVERNMENT.

17 (2) "GOVERNMENTAL UNIT" INCLUDES A DEPARTMENT, BOARD,
18 COMMISSION, AGENCY, OR A SUBUNIT IN THE EXECUTIVE, LEGISLATIVE, OR
19 JUDICIAL BRANCH OF STATE GOVERNMENT AND THOSE COUNTY-FUNDED STATE
20 ENTITIES SPECIFIED IN ARTICLE 24, § 8-101 OF THE CODE.

21 (E) "OFFENDER" MEANS A PRESENT OR FORMER INMATE, OR ANY INDIVIDUAL
22 UNDER THE CORRECTIONAL SUPERVISION OF THE DEPARTMENT.

23 2-302.

24 THERE IS AN ADVISORY COUNCIL ON OFFENDER EMPLOYMENT COORDINATION
25 IN THE DEPARTMENT.

26 2-303.

27 THE COUNCIL CONSISTS OF:

28 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
29 PRESIDENT OF THE SENATE;

30 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
31 SPEAKER OF THE HOUSE;

32 (3) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;

33 (4) THE STATE SUPERINTENDENT OF EDUCATION;

1 (5) ONE REPRESENTATIVE OF BALTIMORE CITY APPOINTED BY THE
2 MAYOR OF BALTIMORE;

3 (6) ONE JUDGE SITTING ON THE BALTIMORE CITY CIRCUIT COURT
4 APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS; AND

5 (7) SEVEN MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

6 (I) FOUR REPRESENTATIVES OF THE BUSINESS COMMUNITY;

7 (II) TWO REPRESENTATIVES OF FAITH BASED OR NONPROFIT
8 COMMUNITIES; AND

9 (III) ONE REPRESENTATIVE FROM A LABOR TRADE.

10 2-304.

11 (A) (1) THE GOVERNOR SHALL APPOINT A CHAIRMAN FROM AMONG THE
12 MEMBERS OF THE COUNCIL SELECTED UNDER § 2-303(7)(I) OF THIS SUBTITLE.

13 (2) THE COUNCIL SHALL DETERMINE THE TIMES AND PLACES OF THE
14 MEETINGS OF THE COUNCIL.

15 (B) A QUORUM OF THE COUNCIL IS EIGHT MEMBERS.

16 (C) (1) UNLESS EXTENDED BY LAW, THE TERMS OF MEMBERS END ON
17 AUGUST 31, 2004.

18 (2) IF A VACANCY OCCURS DURING THE TERM OF A MEMBER, THE
19 APPOINTING AUTHORITY SHALL APPOINT ANOTHER INDIVIDUAL TO SERVE THE
20 REMAINDER OF THE TERM.

21 (D) A MEMBER OF THE COUNCIL:

22 (1) MAY NOT RECEIVE COMPENSATION FOR DUTIES PERFORMED AS A
23 MEMBER OF THE COUNCIL; BUT

24 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
25 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

26 (E) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
27 SHALL PROVIDE:

28 (1) A FULL-TIME EXECUTIVE DIRECTOR; AND

29 (2) STAFF SUPPORT AND TECHNICAL ASSISTANCE.

30 2-305.

31 (A) (1) FOR FISCAL YEAR 2003 AND EACH FISCAL YEAR THEREAFTER, THE
32 COUNCIL SHALL PREPARE A BUDGET FOR SUBMISSION TO THE GOVERNOR WITH

1 DUE REGARD TO THE DICTATES OF PRACTICALITY AND THE FISCAL CONDITION OF
2 THE STATE.

3 (2) THE GOVERNOR SHALL INCLUDE AN APPROPRIATION FOR THE
4 COUNCIL IN THE ANNUAL STATE BUDGET SUFFICIENT FOR THE OPERATION OF THE
5 COUNCIL.

6 (B) THE COUNCIL IS SUBJECT TO AN AUDIT BY THE OFFICE OF THE
7 LEGISLATIVE AUDITOR IN ACCORDANCE WITH §§ 2-1217 THROUGH 2-1227 OF THE
8 STATE GOVERNMENT ARTICLE.

9 2-306.

10 THE COUNCIL SHALL:

11 (1) GATHER INFORMATION, SOLICIT IDEAS, AND ADVISE AND PROVIDE
12 GUIDANCE TO THE EXECUTIVE DIRECTOR ON WAYS TO:

13 (I) DEVELOP TRANSITIONAL SUPPORTS AND EXPAND
14 EMPLOYMENT OPPORTUNITIES FOR OFFENDERS BOTH IN INSTITUTIONAL AND
15 COMMUNITY SETTINGS;

16 (II) PROVIDE MORE EXTENSIVE EMPLOYMENT COUNSELING FOR
17 OFFENDERS UNDER CORRECTIONAL CONTROL;

18 (III) TRANSFER SUCCESSFUL INSTITUTIONAL PROGRAMS AND
19 SERVICES THAT PREPARE OFFENDERS FOR EMPLOYMENT AND PROVIDE
20 EMPLOYMENT OPPORTUNITIES TO COMMUNITY SETTINGS;

21 (IV) INCREASE JOB PLACEMENT AND JOB RETENTION RATES FOR
22 ALL OFFENDERS UNDER CORRECTIONAL CONTROL;

23 (V) IMPROVE THE OVERALL COORDINATION OF EMPLOYMENT
24 SERVICES FOR OFFENDERS;

25 (VI) DEVELOP AND IMPLEMENT A BUSINESS MENTORING
26 PROGRAM; AND

27 (VII) CONDUCT MOCK JOB FAIRS IN INSTITUTIONS AND IN THE
28 COMMUNITY; AND

29 (2) ASSIST THE EXECUTIVE DIRECTOR IN THE DEVELOPMENT OF A PLAN
30 FOR TRANSITIONAL EMPLOYMENT THAT INCORPORATES THE OBJECTIVES STATED
31 IN ITEM (1) OF THIS SECTION.

32 2-307.

33 ALL PERSONNEL IN ANY GOVERNMENTAL UNIT SHALL COOPERATE WITH THE
34 COUNCIL IN THE DISCHARGE OF THE FUNCTIONS OF THE COUNCIL AND WITH
35 REGARD TO ANY REASONABLE REQUEST THAT THE COUNCIL MAKES FOR
36 INFORMATION ASSOCIATED WITH ITS DUTIES UNDER THIS SUBTITLE.

1 2-308.

2 ON OR BEFORE OCTOBER 31, 2001 AND EACH OCTOBER 31 THEREAFTER, THE
3 COUNCIL SHALL SUBMIT A REPORT CONCERNING ITS ACTIVITIES AND
4 RECOMMENDATIONS TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE
5 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 June 1, 2001. It shall remain effective for a period of 3 years and 3 months and, at the
8 end of August 31, 2004, with no further action required by the General Assembly, this
9 Act shall be abrogated and of no further force and effect.